

## Agricultural Marketing Service, USDA

**§ 989.221**

the dockage factor for the preceding increment. Deliveries in excess of 20.0 percent would be offgrade; therefore, the dockage factor does not apply.

[57 FR 28597, June 26, 1992, as amended at 63 FR 56785, Oct. 23, 1998; 67 FR 36792, May 28, 2002; 68 FR 42947, July 21, 2003]

### § 989.213 Maturity dockage.

(a) *General.* Subject to prior agreement between handler and tenderer, Natural (sun-dried) Seedless, Golden Seedless, Dipped Seedless, Monukka, Other Seedless, and Other Seedless-Sulfured raisins containing from 35.0 percent through 49.9 percent, by weight, of well-matured or reasonably well-matured raisins may be acquired by a handler under a weight dockage system. The creditable weight of each lot of raisins acquired under the maturity dockage system shall be obtained by multiplying the net weight of the lot of raisins by the applicable dockage factor from the dockage table prescribed in paragraphs (b), (c), and (d) of this section.

(b) Maturity dockage table applicable to lots of Natural (sun-dried) Seedless, Golden Seedless, Dipped Seedless, Monukka, Other Seedless, and Other Seedless-Sulfured raisins which contain 45.0 percent through 49.9 percent well-matured or reasonably well-matured raisins:

Percent well-matured or reasonably well-matured:	Dockage factor
50.0 or more .....	( <sup>1</sup> )
49.9 .....	0.9995
49.8 .....	.9990
49.7 .....	.9985
49.6 .....	.9980
49.5 .....	.9975

<sup>1</sup> No dockage.

NOTE: Percentages less than the last percentage shown in the table, down to 45.0 percent, shall be expressed in the same increments as the foregoing, and the dockage for each such increment shall be .0005 less than the dockage factor for the preceding increment.

(c) Maturity dockage table applicable to lots of Natural (sun-dried) Seedless, Golden Seedless, Dipped Seedless, Monukka, Other Seedless, and Other Seedless-Sulfured raisins which contain 40.0 percent through 44.9 percent well-matured or reasonably well-matured raisins:

Percent well-matured or reasonably well-matured:	Dockage factor
44.9 .....	0.974
44.8 .....	.973
44.7 .....	.972
44.6 .....	.971
44.5 .....	.970
44.4 .....	.969

NOTE: Percentages less than the last percentage shown in the table, down to 40.0 percent, shall be expressed in the same increments as the foregoing, and the dockage factor for each such increment shall be .001 less than the dockage factor for the preceding increment.

(d) Maturity dockage table applicable to lots of Natural (sun-dried) Seedless, Golden Seedless, Dipped Seedless, Monukka, Other Seedless, and Other Seedless-Sulfured raisins which contain 35.0 percent through 39.9 percent well-matured or reasonably well-matured raisins:

Percent well-matured or reasonably well-matured:	Dockage factor
39.9 .....	0.9235
39.8 .....	.9220
39.7 .....	.9205
39.6 .....	.9190
39.5 .....	.9175
39.4 .....	.9160

NOTE TO PARAGRAPH (D): Percentages less than the last percentage shown in the table shall be expressed in the same increments as the foregoing, and the dockage factor for each such increment shall be .0015 less than the dockage factor for the preceding increment.

[25 FR 12813, Dec. 14, 1960; 27 FR 2506, Mar. 16, 1962, as amended at 52 FR 32776, Aug. 31, 1987; 53 FR 34715, Sept. 8, 1988; 53 FR 49296, Dec. 7, 1988; 54 FR 43041, Oct. 20, 1989; 63 FR 56785, Oct. 23, 1998; 67 FR 36792, May 28, 2002; 68 FR 42947, July 21, 2003]

### § 989.221 Sale and export of reserve raisins by handlers.

(a) *Eligible countries.* Pursuant to § 989.67(c), the Committee may sell reserve raisins to handlers for export to all markets in the world except those listed in paragraph (b) of this section.

(b) *Non-eligible countries.* The Committee may not sell reserve raisins to handlers for export to Cuba, Puerto Rico, the U.S. Virgin Islands, Canada, Mexico, and all islands adjacent to Canada and Mexico.

[58 FR 48275, Sept. 15, 1993]

EDITORIAL NOTE: After January 1, 1979, “Budget of Expenses and Rate of Assessment” regulations (e.g., sections .300 through .399) and “Marketing percentage” regulations (e.g., sections .222 through .299) which are in effect for a year or less, will not be carried in the Code of Federal Regulations. For FEDERAL REGISTER citations affecting these regulations, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

### Subpart—Assessment Rates

#### § 989.347 Assessment rate.

On and after August 1, 2002, an assessment rate of \$8.00 per ton is established for assessable raisins produced from grapes grown in California.

[68 FR 1145, Jan. 9, 2003]

### Subpart—Schedule of Payments

#### § 989.401 Payments for services performed with respect to reserve tonnage raisins.

(a) *Payment for crop year of acquisition*—(1) *Receiving, storing, fumigating, and handling.* Each handler shall be compensated at a rate of \$46 per ton (natural condition weight at the time of acquisition) for receiving, storing, fumigating, and handling the reserve tonnage raisins, as determined by the final reserve tonnage percentage, acquired during a particular crop year and held by the handler for the account of the Committee during all or any part of the same crop year.

(2) *Inspection.* Each handler shall be reimbursed by the Committee for inspection costs applicable to the reserve tonnage raisins, as determined by the final reserve tonnage percentage, received and held by him for the account of the Committee. Such payment shall be made at the currently applicable rate per ton paid by such handler to the Inspection Service and on the quantity reported by the handler. The Committee shall pay the cost of any inspection required by it of such reserve tonnage raisins while they are being held for its account: *Provided*, That the cost of inspection of any raisins substituted, pursuant to § 989.66(b)(3), by a handler for such reserve tonnage raisins, or which he received by transfer from another handler by purchasing, as

permitted pursuant to § 989.166, a portion or all of such other handler’s share of an offer, shall be borne by the handler and shall not be reimbursed to him by the Committee.

(b) *Additional payment for reserve tonnage raisins held beyond the crop year of acquisition.* Additional payment for reserve tonnage raisins held beyond the crop year of acquisition shall be made in accordance with this paragraph. Each handler holding such raisins for the account of the Committee on August 1 shall be compensated for storing, handling, and fumigating such raisins at the rate of \$2.30 per ton per month, or any part thereof, between August 1 and October 31, and at the rate of \$1.18 per ton per month, or any part thereof, between November 1 and July 31: *Provided*, That handlers holding 2002–03 Natural (sun-dried) Seedless reserve raisins on August 1, 2003, that are intended for use as cattle feed shall be compensated for storing, handling, and fumigating such raisins at the rate of \$2.30 per ton per month, or any part thereof, between September 13 and October 31, 2003, and at the rate of \$1.18 per ton per month, or any part thereof, between November 1, 2003, and July 31, 2004. Such services shall be completed so that the Committee is assured that the raisins are maintained in good condition.

(c) *Payment of rental on boxes and bins containing raisins held beyond the crop year of acquisition.* Payment of rental on boxes and bins containing reserve tonnage raisins held beyond the crop year of acquisition shall be made in accordance with this paragraph. Each handler, producer, dehydrator, and other person who furnishes boxes or bins in which such raisins are held for the account of the Committee on August 1, shall be compensated for the use of such boxes and bins: *Provided*, That persons holding 2002–03 Natural (sun-dried) Seedless reserve raisins on September 13, 2003, that are intended for use as cattle feed shall be compensated for the use of such boxes and bins, and that no compensation shall be accrued for such raisins held between August 1 and September 12, 2003. The rate of compensation shall be: For boxes, two and one-half cents per day, not to exceed a total payment of \$1 per box per